

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:20-CR-00642-RWS-NCC
)	
MARC HAROLD TAYLOR, II)	
)	
Defendant.)	

GOVERNMENT'S RESPONSE
TO DEFENDANT'S REQUEST FOR PRETRIAL DISCLOSURE

COMES NOW, the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Shane K. Blank, Special Assistant United States Attorney for said District, and for the Government's Response to Defendant's Request for Pretrial Disclosure (ECF #19) states as follows:

The Government has, consistent with the Order of this Court (ECF #15), filed a separate document entitled, "Government's Disclosure of Arguably Suppressible Evidence Pursuant to Federal Rule of Criminal Procedure 12(b)(4)" (ECF #10) and incorporates such document by reference herein. That document identifies evidence that the Government intends to use at trial and that, in the Government's view, may be arguably suppressible. *See* FED. R. CRIM. P. 12(b)(4)(A) ("[T]he government may notify the defendant of its intent to use specified evidence at trial in order to afford the defendant an opportunity to object before trial under Rule 12(b)(3)(C).").

Further, the Government has sent to Defendant's counsel, on April 19, 2021, a Discovery Letter memorializing—among other things—all evidence contemporaneously produced, the ongoing duty to supplement such evidence as it becomes known and available under FED. R. CRIM. P. 16(c), an understanding of all obligations under the dictates of *Brady v. Maryland*, 373 U.S. 83

(1963) and *Jencks v. U.S.*, 353 U.S. 657 (1957), and the availability of sensitive and/or seal evidence, as applicable, for inspection at a secure Government location. While “there is no general constitutional right to discovery in a criminal case,” *Taylor v. Steele*, 372 F.Supp.3d 800, 846 (E.D. Mo. 2019) (Sippel, J.) (quoting *Gray v. Netherland*, 518 U.S. 152, 168 (1996)), the Government has and will continue to be accommodating in turning over relevant evidence in this matter.

WHEREFORE, the Government understands that it is in compliance with the Court’s requirement that it file a response to any court-filed request(s) for pretrial discovery.

Respectfully submitted,

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United States Attorney

/s/ Shane K. Blank
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CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2021, the foregoing was filed electronically with the Clerk of the Court to be served upon Defense Counsel by operation of the Court’s electronic filing system.

/s/ Shane K. Blank
SHANE K. BLANK, #65787MO
Special Assistant United States Attorney